
ENGROSSED SUBSTITUTE HOUSE BILL 2906

State of Washington

64th Legislature

2016 Regular Session

By House Early Learning & Human Services (originally sponsored by Representatives Stambaugh, Kagi, Magendanz, Tharinger, Ortiz-Self, Frame, Goodman, and Ormsby)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to strengthening opportunities for the
2 rehabilitation and reintegration of juvenile offenders; and amending
3 RCW 13.40.010, 13.40.020, 13.40.127, 13.40.308, 10.99.030, 13.40.265,
4 9.41.040, 46.20.265, 66.44.365, 69.41.065, 69.50.420, and 69.52.070.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 13.40.010 and 2004 c 120 s 1 are each amended to
7 read as follows:

8 (1) This chapter shall be known and cited as the Juvenile Justice
9 Act of 1977.

10 (2) It is the intent of the legislature that a system capable of
11 having primary responsibility for, being accountable for, and
12 responding to the needs of youthful offenders and their victims, as
13 defined by this chapter, be established. It is the further intent of
14 the legislature that youth, in turn, be held accountable for their
15 offenses and that communities, families, and the juvenile courts
16 carry out their functions consistent with this intent. To effectuate
17 these policies, the legislature declares the following to be equally
18 important purposes of this chapter:

19 (a) Protect the citizenry from criminal behavior;

20 (b) Provide for determining whether accused juveniles have
21 committed offenses as defined by this chapter;

1 (c) Make the juvenile offender accountable for his or her
2 criminal behavior;

3 (d) Provide for punishment commensurate with the age, crime, and
4 criminal history of the juvenile offender;

5 (e) Provide due process for juveniles alleged to have committed
6 an offense;

7 (f) Provide for the rehabilitation and reintegration of juvenile
8 offenders;

9 (g) Provide necessary treatment, supervision, and custody for
10 juvenile offenders;

11 (~~(g)~~) (h) Provide for the handling of juvenile offenders by
12 communities whenever consistent with public safety;

13 (~~(h)~~) (i) Provide for restitution to victims of crime;

14 (~~(i)~~) (j) Develop effective standards and goals for the
15 operation, funding, and evaluation of all components of the juvenile
16 justice system and related services at the state and local levels;

17 (~~(j)~~) (k) Provide for a clear policy to determine what types of
18 offenders shall receive punishment, treatment, or both, and to
19 determine the jurisdictional limitations of the courts, institutions,
20 and community services;

21 (~~(k)~~) (l) Provide opportunities for victim participation in
22 juvenile justice process, including court hearings on juvenile
23 offender matters, and ensure that Article I, section 35 of the
24 Washington state Constitution, the victim bill of rights, is fully
25 observed; and

26 (~~(l)~~) (m) Encourage the parents, guardian, or custodian of the
27 juvenile to actively participate in the juvenile justice process.

28 **Sec. 2.** RCW 13.40.020 and 2014 c 110 s 1 are each amended to
29 read as follows:

30 For the purposes of this chapter:

31 (1) "Assessment" means an individualized examination of a child
32 to determine the child's psychosocial needs and problems, including
33 the type and extent of any mental health, substance abuse, or co-
34 occurring mental health and substance abuse disorders, and
35 recommendations for treatment. "Assessment" includes, but is not
36 limited to, drug and alcohol evaluations, psychological and
37 psychiatric evaluations, records review, clinical interview, and
38 administration of a formal test or instrument;

1 (2) "Community-based rehabilitation" means one or more of the
2 following: Employment; attendance of information classes; literacy
3 classes; counseling, outpatient substance abuse treatment programs,
4 outpatient mental health programs, anger management classes,
5 education or outpatient treatment programs to prevent animal cruelty,
6 or other services including, when appropriate, restorative justice
7 programs; or attendance at school or other educational programs
8 appropriate for the juvenile as determined by the school district.
9 Placement in community-based rehabilitation programs is subject to
10 available funds;

11 (3) "Community-based sanctions" may include one or more of the
12 following:

13 (a) A fine, not to exceed five hundred dollars;

14 (b) Community restitution not to exceed one hundred fifty hours
15 of community restitution;

16 (4) "Community restitution" means compulsory service, without
17 compensation, performed for the benefit of the community by the
18 offender as punishment for committing an offense. Community
19 restitution may be performed through public or private organizations
20 or through work crews;

21 (5) "Community supervision" means an order of disposition by the
22 court of an adjudicated youth not committed to the department or an
23 order granting a deferred disposition. A community supervision order
24 for a single offense may be for a period of up to two years for a sex
25 offense as defined by RCW 9.94A.030 and up to one year for other
26 offenses. As a mandatory condition of any term of community
27 supervision, the court shall order the juvenile to refrain from
28 committing new offenses. As a mandatory condition of community
29 supervision, the court shall order the juvenile to comply with the
30 mandatory school attendance provisions of chapter 28A.225 RCW and to
31 inform the school of the existence of this requirement. Community
32 supervision is an individualized program comprised of one or more of
33 the following:

34 (a) Community-based sanctions;

35 (b) Community-based rehabilitation;

36 (c) Monitoring and reporting requirements;

37 (d) Posting of a probation bond;

38 (6) "Confinement" means physical custody by the department of
39 social and health services in a facility operated by or pursuant to a
40 contract with the state, or physical custody in a detention facility

1 operated by or pursuant to a contract with any county. The county may
2 operate or contract with vendors to operate county detention
3 facilities. The department may operate or contract to operate
4 detention facilities for juveniles committed to the department.
5 Pretrial confinement or confinement of less than thirty-one days
6 imposed as part of a disposition or modification order may be served
7 consecutively or intermittently, in the discretion of the court;

8 (7) "Court," when used without further qualification, means the
9 juvenile court judge(s) or commissioner(s);

10 (8) "Criminal history" includes all criminal complaints against
11 the respondent for which, prior to the commission of a current
12 offense:

13 (a) The allegations were found correct by a court. If a
14 respondent is convicted of two or more charges arising out of the
15 same course of conduct, only the highest charge from among these
16 shall count as an offense for the purposes of this chapter; or

17 (b) The criminal complaint was diverted by a prosecutor pursuant
18 to the provisions of this chapter on agreement of the respondent and
19 after an advisement to the respondent that the criminal complaint
20 would be considered as part of the respondent's criminal history. A
21 successfully completed deferred adjudication that was entered before
22 July 1, 1998, or a deferred disposition shall not be considered part
23 of the respondent's criminal history;

24 (9) "Department" means the department of social and health
25 services;

26 (10) "Detention facility" means a county facility, paid for by
27 the county, for the physical confinement of a juvenile alleged to
28 have committed an offense or an adjudicated offender subject to a
29 disposition or modification order. "Detention facility" includes
30 county group homes, inpatient substance abuse programs, juvenile
31 basic training camps, and electronic monitoring;

32 (11) "Diversion unit" means any probation counselor who enters
33 into a diversion agreement with an alleged youthful offender, or any
34 other person, community accountability board, youth court under the
35 supervision of the juvenile court, or other entity except a law
36 enforcement official or entity, with whom the juvenile court
37 administrator has contracted to arrange and supervise such agreements
38 pursuant to RCW 13.40.080, or any person, community accountability
39 board, or other entity specially funded by the legislature to arrange
40 and supervise diversion agreements in accordance with the

1 requirements of this chapter. For purposes of this subsection,
2 "community accountability board" means a board comprised of members
3 of the local community in which the juvenile offender resides. The
4 superior court shall appoint the members. The boards shall consist of
5 at least three and not more than seven members. If possible, the
6 board should include a variety of representatives from the community,
7 such as a law enforcement officer, teacher or school administrator,
8 high school student, parent, and business owner, and should represent
9 the cultural diversity of the local community;

10 (12) "Foster care" means temporary physical care in a foster
11 family home or group care facility as defined in RCW 74.15.020 and
12 licensed by the department, or other legally authorized care;

13 (13) "Institution" means a juvenile facility established pursuant
14 to chapters 72.05 and 72.16 through 72.20 RCW;

15 (14) "Intensive supervision program" means a parole program that
16 requires intensive supervision and monitoring, offers an array of
17 individualized treatment and transitional services, and emphasizes
18 community involvement and support in order to reduce the likelihood a
19 juvenile offender will commit further offenses;

20 (15) "Juvenile," "youth," and "child" mean any individual who is
21 under the chronological age of eighteen years and who has not been
22 previously transferred to adult court pursuant to RCW 13.40.110,
23 unless the individual was convicted of a lesser charge or acquitted
24 of the charge for which he or she was previously transferred pursuant
25 to RCW 13.40.110 or who is not otherwise under adult court
26 jurisdiction;

27 (16) "Juvenile offender" means any juvenile who has been found by
28 the juvenile court to have committed an offense, including a person
29 eighteen years of age or older over whom jurisdiction has been
30 extended under RCW 13.40.300;

31 (17) "Labor" means the period of time before a birth during which
32 contractions are of sufficient frequency, intensity, and duration to
33 bring about effacement and progressive dilation of the cervix;

34 (18) "Local sanctions" means one or more of the following: (a)
35 0-30 days of confinement; (b) 0-12 months of community supervision;
36 (c) 0-150 hours of community restitution; or (d) \$0-\$500 fine;

37 (19) "Manifest injustice" means a disposition that would either
38 impose an excessive penalty on the juvenile or would impose a
39 serious, and clear danger to society in light of the purposes of this
40 chapter;

1 (20) "Monitoring and reporting requirements" means one or more of
2 the following: Curfews; requirements to remain at home, school, work,
3 or court-ordered treatment programs during specified hours;
4 restrictions from leaving or entering specified geographical areas;
5 requirements to report to the probation officer as directed and to
6 remain under the probation officer's supervision; and other
7 conditions or limitations as the court may require which may not
8 include confinement;

9 (21) "Offense" means an act designated a violation or a crime if
10 committed by an adult under the law of this state, under any
11 ordinance of any city or county of this state, under any federal law,
12 or under the law of another state if the act occurred in that state;

13 (22) "Physical restraint" means the use of any bodily force or
14 physical intervention to control a juvenile offender or limit a
15 juvenile offender's freedom of movement in a way that does not
16 involve a mechanical restraint. Physical restraint does not include
17 momentary periods of minimal physical restriction by direct person-
18 to-person contact, without the aid of mechanical restraint,
19 accomplished with limited force and designed to:

20 (a) Prevent a juvenile offender from completing an act that would
21 result in potential bodily harm to self or others or damage property;

22 (b) Remove a disruptive juvenile offender who is unwilling to
23 leave the area voluntarily; or

24 (c) Guide a juvenile offender from one location to another;

25 (23) "Postpartum recovery" means (a) the entire period a woman or
26 youth is in the hospital, birthing center, or clinic after giving
27 birth and (b) an additional time period, if any, a treating physician
28 determines is necessary for healing after the youth leaves the
29 hospital, birthing center, or clinic;

30 (24) "Probation bond" means a bond, posted with sufficient
31 security by a surety justified and approved by the court, to secure
32 the offender's appearance at required court proceedings and
33 compliance with court-ordered community supervision or conditions of
34 release ordered pursuant to RCW 13.40.040 or 13.40.050. It also means
35 a deposit of cash or posting of other collateral in lieu of a bond if
36 approved by the court;

37 (25) "Respondent" means a juvenile who is alleged or proven to
38 have committed an offense;

39 (26) "Restitution" means financial reimbursement by the offender
40 to the victim, and shall be limited to easily ascertainable damages

1 for injury to or loss of property, actual expenses incurred for
2 medical treatment for physical injury to persons, lost wages
3 resulting from physical injury, and costs of the victim's counseling
4 reasonably related to the offense. Restitution shall not include
5 reimbursement for damages for mental anguish, pain and suffering, or
6 other intangible losses. Nothing in this chapter shall limit or
7 replace civil remedies or defenses available to the victim or
8 offender;

9 (27) "Restorative justice" means practices, policies, and
10 programs informed by and sensitive to the needs of crime victims that
11 are designed to encourage offenders to accept responsibility for
12 repairing the harm caused by their offense by providing safe and
13 supportive opportunities for voluntary participation and
14 communication between the victim, the offender, their families, and
15 relevant community members;

16 (28) "Restraints" means anything used to control the movement of
17 a person's body or limbs and includes:

18 (a) Physical restraint; or

19 (b) Mechanical device including but not limited to: Metal
20 handcuffs, plastic ties, ankle restraints, leather cuffs, other
21 hospital-type restraints, tasers, or batons;

22 (29) "Screening" means a process that is designed to identify a
23 child who is at risk of having mental health, substance abuse, or co-
24 occurring mental health and substance abuse disorders that warrant
25 immediate attention, intervention, or more comprehensive assessment.
26 A screening may be undertaken with or without the administration of a
27 formal instrument;

28 (30) "Secretary" means the secretary of the department of social
29 and health services. "Assistant secretary" means the assistant
30 secretary for juvenile rehabilitation for the department;

31 (31) "Services" means services which provide alternatives to
32 incarceration for those juveniles who have pleaded or been
33 adjudicated guilty of an offense or have signed a diversion agreement
34 pursuant to this chapter;

35 (32) "Sex offense" means an offense defined as a sex offense in
36 RCW 9.94A.030;

37 (33) "Sexual motivation" means that one of the purposes for which
38 the respondent committed the offense was for the purpose of his or
39 her sexual gratification;

1 (34) "Surety" means an entity licensed under state insurance laws
2 or by the state department of licensing, to write corporate,
3 property, or probation bonds within the state, and justified and
4 approved by the superior court of the county having jurisdiction of
5 the case;

6 (35) "Transportation" means the conveying, by any means, of an
7 incarcerated pregnant youth from the institution or detention
8 facility to another location from the moment she leaves the
9 institution or detention facility to the time of arrival at the other
10 location, and includes the escorting of the pregnant incarcerated
11 youth from the institution or detention facility to a transport
12 vehicle and from the vehicle to the other location;

13 (36) "Violation" means an act or omission, which if committed by
14 an adult, must be proven beyond a reasonable doubt, and is punishable
15 by sanctions which do not include incarceration;

16 (37) "Violent offense" means a violent offense as defined in RCW
17 9.94A.030;

18 (38) "Youth court" means a diversion unit under the supervision
19 of the juvenile court.

20 **Sec. 3.** RCW 13.40.127 and 2015 c 265 s 26 are each amended to
21 read as follows:

22 (1) A juvenile is eligible for deferred disposition unless he or
23 she:

24 (a) Is charged with a sex or violent offense;

25 (b) Has a criminal history which includes any felony;

26 (c) Has a prior deferred disposition or deferred adjudication; or

27 (d) Has two or more adjudications.

28 (2) The juvenile court (~~may~~) shall, except as provided by
29 subsection (3) of this section, upon motion at least fourteen days
30 before commencement of trial and, after consulting the juvenile's
31 custodial parent or parents or guardian and with the consent of the
32 juvenile, continue the case for disposition for a period not to
33 exceed one year from the date the juvenile is found guilty. (~~The~~
34 ~~court shall consider whether the offender and the community will~~
35 ~~benefit from a deferred disposition before deferring the~~
36 ~~disposition.~~) The court may waive the fourteen-day period anytime
37 before the commencement of trial for good cause.

38 (3) If a juvenile offender is charged with animal cruelty in the
39 first degree, the juvenile court may deny granting a deferred

1 disposition to the juvenile, even if the juvenile otherwise may
2 qualify for a deferred disposition. The judge shall consider whether
3 the community will benefit from granting a deferred disposition to
4 the juvenile offender.

5 (4) Any juvenile who agrees to a deferral of disposition shall:

6 (a) Stipulate to the admissibility of the facts contained in the
7 written police report;

8 (b) Acknowledge that the report will be entered and used to
9 support a finding of guilt and to impose a disposition if the
10 juvenile fails to comply with terms of supervision;

11 (c) Waive the following rights to: (i) A speedy disposition; and
12 (ii) call and confront witnesses; and

13 (d) Acknowledge the direct consequences of being found guilty and
14 the direct consequences that will happen if an order of disposition
15 is entered.

16 The adjudicatory hearing shall be limited to a reading of the
17 court's record.

18 ~~((4))~~ (5) Following the stipulation, acknowledgment, waiver,
19 and entry of a finding or plea of guilt, the court shall defer entry
20 of an order of disposition of the juvenile.

21 ~~((5))~~ (6) Any juvenile granted a deferral of disposition under
22 this section shall be placed under community supervision. The court
23 may impose any conditions of supervision that it deems appropriate
24 including posting a probation bond. Payment of restitution under RCW
25 13.40.190 shall be a condition of community supervision under this
26 section.

27 The court may require a juvenile offender convicted of animal
28 cruelty in the first degree to submit to a mental health evaluation
29 to determine if the offender would benefit from treatment and such
30 intervention would promote the safety of the community. After
31 consideration of the results of the evaluation, as a condition of
32 community supervision, the court may order the offender to attend
33 treatment to address issues pertinent to the offense.

34 The court may require the juvenile to undergo a mental health or
35 substance abuse assessment, or both. If the assessment identifies a
36 need for treatment, conditions of supervision may include treatment
37 for the assessed need that has been demonstrated to improve
38 behavioral health and reduce recidivism.

39 The court shall require a juvenile granted a deferral of
40 disposition for unlawful possession of a firearm in violation of RCW

1 9.41.040 to participate in a qualifying program as described in RCW
2 13.40.193(2)(b), when available, unless the court makes a written
3 finding based on the outcome of the juvenile court risk assessment
4 that participation in a qualifying program would not be appropriate.

5 ~~((+6))~~ (7) A parent who signed for a probation bond has the
6 right to notify the counselor if the juvenile fails to comply with
7 the bond or conditions of supervision. The counselor shall notify the
8 court and surety of any failure to comply. A surety shall notify the
9 court of the juvenile's failure to comply with the probation bond.
10 The state shall bear the burden to prove, by a preponderance of the
11 evidence, that the juvenile has failed to comply with the terms of
12 community supervision.

13 ~~((+7))~~ (8)(a) Anytime prior to the conclusion of the period of
14 supervision, the prosecutor or the juvenile's juvenile court
15 community supervision counselor may file a motion with the court
16 requesting the court revoke the deferred disposition based on the
17 juvenile's lack of compliance or treat the juvenile's lack of
18 compliance as a violation pursuant to RCW 13.40.200.

19 (b) If the court finds the juvenile failed to comply with the
20 terms of the deferred disposition, the court may:

21 (i) Revoke the deferred disposition and enter an order of
22 disposition; or

23 (ii) Impose sanctions for the violation pursuant to RCW
24 13.40.200.

25 ~~((+8))~~ (9) At any time following deferral of disposition the
26 court may, following a hearing, continue supervision for an
27 additional one-year period for good cause.

28 ~~((+9))~~ (10)(a) At the conclusion of the period of supervision,
29 the court shall determine whether the juvenile is entitled to
30 dismissal of the deferred disposition only when the court finds:

31 (i) The deferred disposition has not been previously revoked;

32 (ii) The juvenile has completed the terms of supervision;

33 (iii) There are no pending motions concerning lack of compliance
34 pursuant to subsection ~~((+7))~~ (8) of this section; and

35 (iv) The juvenile has either paid the full amount of restitution,
36 or, made a good faith effort to pay the full amount of restitution
37 during the period of supervision.

38 (b) If the court finds the juvenile is entitled to dismissal of
39 the deferred disposition pursuant to (a) of this subsection, the
40 juvenile's conviction shall be vacated and the court shall dismiss

1 the case with prejudice, except that a conviction under RCW 16.52.205
2 shall not be vacated. Whenever a case is dismissed with restitution
3 still owing, the court shall enter a restitution order pursuant to
4 RCW 7.80.130 for any unpaid restitution. Jurisdiction to enforce
5 payment and modify terms of the restitution order shall be the same
6 as those set forth in RCW 7.80.130.

7 (c) If the court finds the juvenile is not entitled to dismissal
8 of the deferred disposition pursuant to (a) of this subsection, the
9 court shall revoke the deferred disposition and enter an order of
10 disposition. A deferred disposition shall remain a conviction unless
11 the case is dismissed and the conviction is vacated pursuant to (b)
12 of this subsection or sealed pursuant to RCW 13.50.260.

13 ~~((+10+))~~ (11)(a)(i) Any time the court vacates a conviction
14 pursuant to subsection ~~((+9+))~~ (10) of this section, if the juvenile
15 is eighteen years of age or older and the full amount of restitution
16 owing to the individual victim named in the restitution order,
17 excluding restitution owed to any insurance provider authorized under
18 Title 48 RCW has been paid, the court shall enter a written order
19 sealing the case.

20 (ii) Any time the court vacates a conviction pursuant to
21 subsection ~~((+9+))~~ (10) of this section, if the juvenile is not
22 eighteen years of age or older and full restitution ordered has been
23 paid, the court shall schedule an administrative sealing hearing to
24 take place no later than thirty days after the respondent's
25 eighteenth birthday, at which time the court shall enter a written
26 order sealing the case. The respondent's presence at the
27 administrative sealing hearing is not required.

28 (iii) Any deferred disposition vacated prior to June 7, 2012, is
29 not subject to sealing under this subsection.

30 (b) Nothing in this subsection shall preclude a juvenile from
31 petitioning the court to have the records of his or her deferred
32 dispositions sealed under RCW 13.50.260.

33 (c) Records sealed under this provision shall have the same legal
34 status as records sealed under RCW 13.50.260.

35 **Sec. 4.** RCW 13.40.308 and 2009 c 454 s 4 are each amended to
36 read as follows:

37 (1) If a respondent is adjudicated of taking a motor vehicle
38 without permission in the first degree as defined in RCW 9A.56.070,

1 the court shall impose the following minimum sentence, in addition to
2 any restitution the court may order payable to the victim:

3 (a) Juveniles with a prior criminal history score of zero to one-
4 half points shall be sentenced to a standard range sentence that
5 includes no less than three months of community supervision,
6 forty-five hours of community restitution, (~~a two hundred dollar~~
7 ~~fine,~~) and a requirement that the juvenile remain at home such that
8 the juvenile is confined to a private residence for no less than five
9 days. The juvenile may be subject to electronic monitoring where
10 available. The court may impose a fine up to two hundred dollars for
11 juveniles who meet the criteria in this subsection. If the juvenile
12 is enrolled in school, the confinement shall be served on nonschool
13 days;

14 (b) Juveniles with a prior criminal history score of three-
15 quarters to one and one-half points shall be sentenced to a standard
16 range sentence that includes six months of community supervision, no
17 less than ten days of detention, and ninety hours of community
18 restitution(~~, and a four hundred dollar fine~~). The court may impose
19 a fine up to four hundred dollars for juveniles who meet the criteria
20 in this subsection; and

21 (c) Juveniles with a prior criminal history score of two or more
22 points shall be sentenced to no less than fifteen to thirty-six weeks
23 commitment to the juvenile rehabilitation administration, four months
24 of parole supervision, and ninety hours of community restitution(~~, and a four hundred dollar fine~~). The court may impose a fine up to
25 four hundred dollars for juveniles who meet the criteria in this
26 subsection.

27
28 (2) If a respondent is adjudicated of theft of a motor vehicle as
29 defined under RCW 9A.56.065, or possession of a stolen vehicle as
30 defined under RCW 9A.56.068, the court shall impose the following
31 minimum sentence, in addition to any restitution the court may order
32 payable to the victim:

33 (a) Juveniles with a prior criminal history score of zero to one-
34 half points shall be sentenced to a standard range sentence that
35 includes no less than three months of community supervision(~~, forty-~~
36 ~~five hours of community restitution, a two hundred dollar fine,~~) and
37 either ninety hours of community restitution or a requirement that
38 the juvenile remain at home such that the juvenile is confined in a
39 private residence for no less than five days. The court may impose a
40 fine up to two hundred dollars for juveniles who meet the criteria in

1 this subsection. The juvenile may be subject to electronic monitoring
2 where available, or a combination thereof that includes a minimum of
3 three days home confinement and a minimum of forty hours of community
4 restitution;

5 (b) Juveniles with a prior criminal history score of three-
6 quarters to one and one-half points shall be sentenced to a standard
7 range sentence that includes no less than six months of community
8 supervision, no less than ten days of detention, and ninety hours of
9 community restitution(~~(, and a four hundred dollar fine)~~). The court
10 may impose a fine up to four hundred dollars for juveniles who meet
11 the criteria in this subsection; and

12 (c) Juveniles with a prior criminal history score of two or more
13 points shall be sentenced to no less than fifteen to thirty-six weeks
14 commitment to the juvenile rehabilitation administration, four months
15 of parole supervision, and ninety hours of community restitution(~~(, and a four hundred dollar fine)~~). The court may impose a fine up to
16 four hundred dollars for juveniles who meet the criteria in this
17 subsection.

18 (3) If a respondent is adjudicated of taking a motor vehicle
19 without permission in the second degree as defined in RCW 9A.56.075,
20 the court shall impose a standard range as follows:

21 (a) Juveniles with a prior criminal history score of zero to one-
22 half points shall be sentenced to a standard range sentence that
23 includes three months of community supervision, fifteen hours of
24 community restitution, and a requirement that the juvenile remain at
25 home such that the juvenile is confined in a private residence for no
26 less than one day. If the juvenile is enrolled in school, the
27 confinement shall be served on nonschool days. The juvenile may be
28 subject to electronic monitoring where available;

29 (b) Juveniles with a prior criminal history score of three-
30 quarters to one and one-half points shall be sentenced to a standard
31 range sentence that includes no less than one day of detention, three
32 months of community supervision, thirty hours of community
33 restitution, (~~(a one hundred fifty dollar fine,)~~) and a requirement
34 that the juvenile remain at home such that the juvenile is confined
35 in a private residence for no less than two days. If the juvenile is
36 enrolled in school, the confinement shall be served on nonschool
37 days. The court may impose a fine up to one hundred and fifty dollars
38 for juveniles who meet the criteria in this subsection. The juvenile
39 may be subject to electronic monitoring where available; and
40

1 (c) Juveniles with a prior criminal history score of two or more
2 points shall be sentenced to no less than three days of detention,
3 six months of community supervision, forty-five hours of community
4 restitution, (~~(a one hundred fifty dollar fine,~~) and a requirement
5 that the juvenile remain at home such that the juvenile is confined
6 in a private residence for no less than seven days. If the juvenile
7 is enrolled in school, the confinement shall be served on nonschool
8 days. The court may impose a fine up to one hundred and fifty dollars
9 for juveniles who meet the criteria in this subsection. The juvenile
10 may be subject to electronic monitoring where available.

11 **Sec. 5.** RCW 10.99.030 and 1996 c 248 s 6 are each amended to
12 read as follows:

13 (1) All training relating to the handling of domestic violence
14 complaints by law enforcement officers shall stress enforcement of
15 criminal laws in domestic situations, availability of community
16 resources, and protection of the victim. Law enforcement agencies and
17 community organizations with expertise in the issue of domestic
18 violence shall cooperate in all aspects of such training.

19 (2) The criminal justice training commission shall implement by
20 January 1, 1997, a course of instruction for the training of law
21 enforcement officers in Washington in the handling of domestic
22 violence complaints. The basic law enforcement curriculum of the
23 criminal justice training commission shall include at least twenty
24 hours of basic training instruction on the law enforcement response
25 to domestic violence. The course of instruction, the learning and
26 performance objectives, and the standards for the training shall be
27 developed by the commission and focus on enforcing the criminal laws,
28 safety of the victim, and holding the perpetrator accountable for the
29 violence. The curriculum shall include training on the extent and
30 prevalence of domestic violence, the importance of criminal justice
31 intervention, techniques for responding to incidents that minimize
32 the likelihood of officer injury and that promote victim safety,
33 investigation and interviewing skills, evidence gathering and report
34 writing, assistance to and services for victims and children,
35 verification and enforcement of court orders, liability, and any
36 additional provisions that are necessary to carry out the intention
37 of this subsection.

38 (3) The criminal justice training commission shall develop and
39 update annually an in-service training program to familiarize law

1 enforcement officers with the domestic violence laws. The program
2 shall include techniques for handling incidents of domestic violence
3 that minimize the likelihood of injury to the officer and that
4 promote the safety of all parties. The commission shall make the
5 training program available to all law enforcement agencies in the
6 state.

7 (4) Development of the training in subsections (2) and (3) of
8 this section shall be conducted in conjunction with agencies having a
9 primary responsibility for serving victims of domestic violence with
10 emergency shelter and other services, and representatives to the
11 statewide organization providing training and education to these
12 organizations and to the general public.

13 (5) The primary duty of peace officers, when responding to a
14 domestic violence situation, is to enforce the laws allegedly
15 violated and to protect the complaining party.

16 (6)(a) When a peace officer responds to a domestic violence call
17 and has probable cause to believe that a crime has been committed,
18 the peace officer shall exercise arrest powers with reference to the
19 criteria in RCW 10.31.100. The officer shall notify the victim of the
20 victim's right to initiate a criminal proceeding in all cases where
21 the officer has not exercised arrest powers or decided to initiate
22 criminal proceedings by citation or otherwise. The parties in such
23 cases shall also be advised of the importance of preserving evidence.

24 (b) A peace officer responding to a domestic violence call shall
25 take a complete offense report including the officer's disposition of
26 the case.

27 (7) When a peace officer responds to a domestic violence call,
28 the officer shall advise victims of all reasonable means to prevent
29 further abuse, including advising each person of the availability of
30 a shelter or other services in the community, and giving each person
31 immediate notice of the legal rights and remedies available. The
32 notice shall include handing each person a copy of the following
33 statement:

34 "IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the
35 city or county prosecuting attorney to file a criminal
36 complaint. You also have the right to file a petition in
37 superior, district, or municipal court requesting an order
38 for protection from domestic abuse which could include any of
39 the following: (a) An order restraining your abuser from

1 further acts of abuse; (b) an order directing your abuser to
2 leave your household; (c) an order preventing your abuser
3 from entering your residence, school, business, or place of
4 employment; (d) an order awarding you or the other parent
5 custody of or visitation with your minor child or children;
6 and (e) an order restraining your abuser from molesting or
7 interfering with minor children in your custody. The forms
8 you need to obtain a protection order are available in any
9 municipal, district, or superior court.

10 Information about shelters and alternatives to domestic
11 violence is available from a statewide twenty-four-hour toll-
12 free hot line at (include appropriate phone number). The
13 battered women's shelter and other resources in your area
14 are (include local information)"

15 (8) The peace officer may offer, arrange, or facilitate
16 transportation for the victim to a hospital for treatment of injuries
17 or to a place of safety or shelter.

18 (9) The law enforcement agency shall forward the offense report
19 to the appropriate prosecutor within ten days of making such report
20 if there is probable cause to believe that an offense has been
21 committed, unless the case is under active investigation. Upon
22 receiving the offense report, the prosecuting agency may, in its
23 discretion, choose not to file the information as a domestic violence
24 offense, if the offense was committed by a juvenile against a
25 sibling, parent, stepparent, or grandparent. In determining whether
26 to file the information as a domestic violence offense, the
27 prosecuting agency may take into consideration whether the victim of
28 the offense requests that the information not be filed as a domestic
29 violence offense or does not object to an information not being filed
30 as a domestic violence offense.

31 (10) Each law enforcement agency shall make as soon as
32 practicable a written record and shall maintain records of all
33 incidents of domestic violence reported to it.

34 (11) Records kept pursuant to subsections (6) and (10) of this
35 section shall be made identifiable by means of a departmental code
36 for domestic violence.

37 (12) Commencing January 1, 1994, records of incidents of domestic
38 violence shall be submitted, in accordance with procedures described
39 in this subsection, to the Washington association of sheriffs and

1 police chiefs by all law enforcement agencies. The Washington
2 criminal justice training commission shall amend its contract for
3 collection of statewide crime data with the Washington association of
4 sheriffs and police chiefs:

5 (a) To include a table, in the annual report of crime in
6 Washington produced by the Washington association of sheriffs and
7 police chiefs pursuant to the contract, showing the total number of
8 actual offenses and the number and percent of the offenses that are
9 domestic violence incidents for the following crimes: (i) Criminal
10 homicide, with subtotals for murder and nonnegligent homicide and
11 manslaughter by negligence; (ii) forcible rape, with subtotals for
12 rape by force and attempted forcible rape; (iii) robbery, with
13 subtotals for firearm, knife or cutting instrument, or other
14 dangerous weapon, and strongarm robbery; (iv) assault, with subtotals
15 for firearm, knife or cutting instrument, other dangerous weapon,
16 hands, feet, aggravated, and other nonaggravated assaults; (v)
17 burglary, with subtotals for forcible entry, nonforcible unlawful
18 entry, and attempted forcible entry; (vi) larceny theft, except motor
19 vehicle theft; (vii) motor vehicle theft, with subtotals for autos,
20 trucks and buses, and other vehicles; (viii) arson; and (ix)
21 violations of the provisions of a protection order or no-contact
22 order restraining the person from going onto the grounds of or
23 entering a residence, workplace, school, or day care, provided that
24 specific appropriations are subsequently made for the collection and
25 compilation of data regarding violations of protection orders or no-
26 contact orders;

27 (b) To require that the table shall continue to be prepared and
28 contained in the annual report of crime in Washington until that time
29 as comparable or more detailed information about domestic violence
30 incidents is available through the Washington state incident based
31 reporting system and the information is prepared and contained in the
32 annual report of crime in Washington; and

33 (c) To require that, in consultation with interested persons, the
34 Washington association of sheriffs and police chiefs prepare and
35 disseminate procedures to all law enforcement agencies in the state
36 as to how the agencies shall code and report domestic violence
37 incidents to the Washington association of sheriffs and police
38 chiefs.

1 **Sec. 6.** RCW 13.40.265 and 2003 c 53 s 101 are each amended to
2 read as follows:

3 (1)~~((a))~~ If a juvenile thirteen years of age or older is found
4 by juvenile court to have committed an offense while armed with a
5 firearm or an offense that is a violation of RCW 9.41.040(2)(a)
6 ~~((iii))~~ (iv) or chapter 66.44, 69.41, 69.50, or 69.52 RCW, the
7 court shall notify the department of licensing within twenty-four
8 hours after entry of the judgment, unless the offense is the
9 juvenile's first offense while armed with a firearm, first unlawful
10 possession of a firearm offense, or first offense in violation of
11 chapter 66.44, 69.41, 69.50, or 69.52 RCW.

12 ~~((b))~~ (2) Except as otherwise provided in ~~((c) of this)~~
13 subsection (3) of this section, upon petition of a juvenile who has
14 been found by the court to have committed an offense that is a
15 violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the court may
16 at any time the court deems appropriate notify the department of
17 licensing that the juvenile's driving privileges should be
18 reinstated.

19 ~~((c) If the offense is the juvenile's first violation of chapter~~
20 ~~66.44, 69.41, 69.50, or 69.52 RCW, the juvenile may not petition the~~
21 ~~court for reinstatement of the juvenile's privilege to drive revoked~~
22 ~~pursuant to RCW 46.20.265 until ninety days after the date the~~
23 ~~juvenile turns sixteen or ninety days after the judgment was entered,~~
24 ~~whichever is later.))~~ (3) If the offense is the juvenile's second or
25 subsequent violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW,
26 the juvenile may not petition the court for reinstatement of the
27 juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until
28 the date the juvenile turns seventeen or one year after the date
29 judgment was entered, whichever is later.

30 ~~((2)(a) If a juvenile enters into a diversion agreement with a~~
31 ~~diversion unit pursuant to RCW 13.40.080 concerning an offense that~~
32 ~~is a violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the~~
33 ~~diversion unit shall notify the department of licensing within~~
34 ~~twenty four hours after the diversion agreement is signed.~~

35 ~~(b) If a diversion unit has notified the department pursuant to~~
36 ~~(a) of this subsection, the diversion unit shall notify the~~
37 ~~department of licensing when the juvenile has completed the~~
38 ~~agreement.))~~

1 **Sec. 7.** RCW 9.41.040 and 2014 c 111 s 1 are each amended to read
2 as follows:

3 (1)(a) A person, whether an adult or juvenile, is guilty of the
4 crime of unlawful possession of a firearm in the first degree, if the
5 person owns, has in his or her possession, or has in his or her
6 control any firearm after having previously been convicted or found
7 not guilty by reason of insanity in this state or elsewhere of any
8 serious offense as defined in this chapter.

9 (b) Unlawful possession of a firearm in the first degree is a
10 class B felony punishable according to chapter 9A.20 RCW.

11 (2)(a) A person, whether an adult or juvenile, is guilty of the
12 crime of unlawful possession of a firearm in the second degree, if
13 the person does not qualify under subsection (1) of this section for
14 the crime of unlawful possession of a firearm in the first degree and
15 the person owns, has in his or her possession, or has in his or her
16 control any firearm:

17 (i) After having previously been convicted or found not guilty by
18 reason of insanity in this state or elsewhere of any felony not
19 specifically listed as prohibiting firearm possession under
20 subsection (1) of this section, or any of the following crimes when
21 committed by one family or household member against another,
22 committed on or after July 1, 1993: Assault in the fourth degree,
23 coercion, stalking, reckless endangerment, criminal trespass in the
24 first degree, or violation of the provisions of a protection order or
25 no-contact order restraining the person or excluding the person from
26 a residence (RCW 26.50.060, 26.50.070, 26.50.130, or 10.99.040);

27 (ii) During any period of time that the person is subject to a
28 court order issued under chapter 7.90, 7.92, 9A.46, 10.14, 10.99,
29 26.09, 26.10, 26.26, or 26.50 RCW that:

30 (A) Was issued after a hearing of which the person received
31 actual notice, and at which the person had an opportunity to
32 participate;

33 (B) Restrains the person from harassing, stalking, or threatening
34 an intimate partner of the person or child of the intimate partner or
35 person, or engaging in other conduct that would place an intimate
36 partner in reasonable fear of bodily injury to the partner or child;
37 and

38 (C)(I) Includes a finding that the person represents a credible
39 threat to the physical safety of the intimate partner or child; and

1 (II) By its terms, explicitly prohibits the use, attempted use,
2 or threatened use of physical force against the intimate partner or
3 child that would reasonably be expected to cause bodily injury;

4 (iii) After having previously been involuntarily committed for
5 mental health treatment under RCW 71.05.240, 71.05.320, 71.34.740,
6 71.34.750, chapter 10.77 RCW, or equivalent statutes of another
7 jurisdiction, unless his or her right to possess a firearm has been
8 restored as provided in RCW 9.41.047;

9 (iv) If the person is under eighteen years of age, except as
10 provided in RCW 9.41.042; and/or

11 (v) If the person is free on bond or personal recognizance
12 pending trial, appeal, or sentencing for a serious offense as defined
13 in RCW 9.41.010.

14 (b) Unlawful possession of a firearm in the second degree is a
15 class C felony punishable according to chapter 9A.20 RCW.

16 (3) Notwithstanding RCW 9.41.047 or any other provisions of law,
17 as used in this chapter, a person has been "convicted", whether in an
18 adult court or adjudicated in a juvenile court, at such time as a
19 plea of guilty has been accepted, or a verdict of guilty has been
20 filed, notwithstanding the pendency of any future proceedings
21 including but not limited to sentencing or disposition, post-trial or
22 post-fact-finding motions, and appeals. Conviction includes a
23 dismissal entered after a period of probation, suspension or deferral
24 of sentence, and also includes equivalent dispositions by courts in
25 jurisdictions other than Washington state. A person shall not be
26 precluded from possession of a firearm if the conviction has been the
27 subject of a pardon, annulment, certificate of rehabilitation, or
28 other equivalent procedure based on a finding of the rehabilitation
29 of the person convicted or the conviction or disposition has been the
30 subject of a pardon, annulment, or other equivalent procedure based
31 on a finding of innocence. Where no record of the court's disposition
32 of the charges can be found, there shall be a rebuttable presumption
33 that the person was not convicted of the charge.

34 (4)(a) Notwithstanding subsection (1) or (2) of this section, a
35 person convicted or found not guilty by reason of insanity of an
36 offense prohibiting the possession of a firearm under this section
37 other than murder, manslaughter, robbery, rape, indecent liberties,
38 arson, assault, kidnapping, extortion, burglary, or violations with
39 respect to controlled substances under RCW 69.50.401 and 69.50.410,
40 who received a probationary sentence under RCW 9.95.200, and who

1 received a dismissal of the charge under RCW 9.95.240, shall not be
2 precluded from possession of a firearm as a result of the conviction
3 or finding of not guilty by reason of insanity. Notwithstanding any
4 other provisions of this section, if a person is prohibited from
5 possession of a firearm under subsection (1) or (2) of this section
6 and has not previously been convicted or found not guilty by reason
7 of insanity of a sex offense prohibiting firearm ownership under
8 subsection (1) or (2) of this section and/or any felony defined under
9 any law as a class A felony or with a maximum sentence of at least
10 twenty years, or both, the individual may petition a court of record
11 to have his or her right to possess a firearm restored:

12 (i) Under RCW 9.41.047; and/or

13 (ii)(A) If the conviction or finding of not guilty by reason of
14 insanity was for a felony offense, after five or more consecutive
15 years in the community without being convicted or found not guilty by
16 reason of insanity or currently charged with any felony, gross
17 misdemeanor, or misdemeanor crimes, if the individual has no prior
18 felony convictions that prohibit the possession of a firearm counted
19 as part of the offender score under RCW 9.94A.525; or

20 (B) If the conviction or finding of not guilty by reason of
21 insanity was for a nonfelony offense, after three or more consecutive
22 years in the community without being convicted or found not guilty by
23 reason of insanity or currently charged with any felony, gross
24 misdemeanor, or misdemeanor crimes, if the individual has no prior
25 felony convictions that prohibit the possession of a firearm counted
26 as part of the offender score under RCW 9.94A.525 and the individual
27 has completed all conditions of the sentence.

28 (b) An individual may petition a court of record to have his or
29 her right to possess a firearm restored under (a) of this subsection
30 (4) only at:

31 (i) The court of record that ordered the petitioner's prohibition
32 on possession of a firearm; or

33 (ii) The superior court in the county in which the petitioner
34 resides.

35 (5) In addition to any other penalty provided for by law, if a
36 person under the age of eighteen years is found by a court to have
37 possessed a firearm in a vehicle in violation of subsection (1) or
38 (2) of this section or to have committed an offense while armed with
39 a firearm during which offense a motor vehicle served an integral
40 function, the court shall notify the department of licensing within

1 twenty-four hours and the person's privilege to drive shall be
2 revoked under RCW 46.20.265, unless the offense is the juvenile's
3 first offense in violation of this section and has not committed an
4 offense while armed with a firearm, an unlawful possession of a
5 firearm offense, or an offense in violation of chapter 66.44, 69.52,
6 69.41, or 69.50 RCW.

7 (6) Nothing in chapter 129, Laws of 1995 shall ever be construed
8 or interpreted as preventing an offender from being charged and
9 subsequently convicted for the separate felony crimes of theft of a
10 firearm or possession of a stolen firearm, or both, in addition to
11 being charged and subsequently convicted under this section for
12 unlawful possession of a firearm in the first or second degree.
13 Notwithstanding any other law, if the offender is convicted under
14 this section for unlawful possession of a firearm in the first or
15 second degree and for the felony crimes of theft of a firearm or
16 possession of a stolen firearm, or both, then the offender shall
17 serve consecutive sentences for each of the felony crimes of
18 conviction listed in this subsection.

19 (7) Each firearm unlawfully possessed under this section shall be
20 a separate offense.

21 (8) For purposes of this section, "intimate partner" includes: A
22 spouse, a domestic partner, a former spouse, a former domestic
23 partner, a person with whom the restrained person has a child in
24 common, or a person with whom the restrained person has cohabitated
25 or is cohabitating as part of a dating relationship.

26 **Sec. 8.** RCW 46.20.265 and 2005 c 288 s 2 are each amended to
27 read as follows:

28 (1) In addition to any other authority to revoke driving
29 privileges under this chapter, the department shall revoke all
30 driving privileges of a juvenile when the department receives notice
31 from a court pursuant to RCW 9.41.040(5), 13.40.265, 66.44.365,
32 69.41.065, 69.50.420, 69.52.070, or a substantially similar municipal
33 ordinance adopted by a local legislative authority, or from a
34 diversion unit pursuant to RCW 13.40.265.

35 (2) The driving privileges of the juvenile revoked under
36 subsection (1) of this section shall be revoked in the following
37 manner:

1 (a) Upon receipt of the first notice, the department shall impose
2 a revocation for one year, or until the juvenile reaches seventeen
3 years of age, whichever is longer.

4 (b) Upon receipt of a second or subsequent notice, the department
5 shall impose a revocation for two years or until the juvenile reaches
6 eighteen years of age, whichever is longer.

7 (c) Each offense for which the department receives notice shall
8 result in a separate period of revocation. All periods of revocation
9 imposed under this section that could otherwise overlap shall run
10 consecutively up to the juvenile's twenty-first birthday, and no
11 period of revocation imposed under this section shall begin before
12 the expiration of all other periods of revocation imposed under this
13 section or other law. Periods of revocation imposed consecutively
14 under this section shall not extend beyond the juvenile's twenty-
15 first birthday.

16 (3)(a) If the department receives notice from a court that the
17 juvenile's privilege to drive should be reinstated, the department
18 shall immediately reinstate any driving privileges that have been
19 revoked under this section if the minimum term of revocation as
20 specified in RCW 13.40.265(~~((1)(e))~~) (3), 66.44.365(3), 69.41.065(3),
21 69.50.420(3), 69.52.070(3), or similar ordinance has expired, and
22 subject to subsection (2)(c) of this section.

23 (b) The juvenile may seek reinstatement of his or her driving
24 privileges from the department when the juvenile reaches the age of
25 twenty-one. A notice from the court reinstating the juvenile's
26 driving privilege shall not be required if reinstatement is pursuant
27 to this subsection.

28 ~~((4)(a) If the department receives notice pursuant to RCW
29 13.40.265(2)(b) from a diversion unit that a juvenile has completed a
30 diversion agreement for which the juvenile's driving privileges were
31 revoked, the department shall reinstate any driving privileges
32 revoked under this section as provided in (b) of this subsection,
33 subject to subsection (2)(c) of this section.~~

34 ~~(b) If the diversion agreement was for the juvenile's first
35 violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the
36 department shall not reinstate the juvenile's privilege to drive
37 until the later of ninety days after the date the juvenile turns
38 sixteen or ninety days after the juvenile entered into a diversion
39 agreement for the offense. If the diversion agreement was for the
40 juvenile's second or subsequent violation of chapter 66.44, 69.41,~~

1 ~~69.50, or 69.52 RCW, the department shall not reinstate the~~
2 ~~juvenile's privilege to drive until the later of the date the~~
3 ~~juvenile turns seventeen or one year after the juvenile entered into~~
4 ~~the second or subsequent diversion agreement.))~~

5 **Sec. 9.** RCW 66.44.365 and 1989 c 271 s 118 are each amended to
6 read as follows:

7 (1) If a juvenile thirteen years of age or older and under the
8 age of eighteen is found by a court to have committed any offense
9 that is a violation of this chapter, the court shall notify the
10 department of licensing within twenty-four hours after entry of the
11 judgment, unless the offense is the juvenile's first offense in
12 violation of this chapter and has not committed an offense while
13 armed with a firearm, an unlawful possession of a firearm offense, or
14 an offense in violation of chapter 69.41, 69.50, or 69.52 RCW.

15 (2) Except as otherwise provided in subsection (3) of this
16 section, upon petition of a juvenile whose privilege to drive has
17 been revoked pursuant to RCW 46.20.265, the court may notify the
18 department of licensing that the juvenile's privilege to drive should
19 be reinstated.

20 (3) If the conviction is for the juvenile's first violation of
21 this chapter or chapter 69.41, 69.50, or 69.52 RCW, a juvenile may
22 not petition the court for reinstatement of the juvenile's privilege
23 to drive revoked pursuant to RCW 46.20.265 until the later of ninety
24 days after the date the juvenile turns sixteen or ninety days after
25 the judgment was entered. If the conviction was for the juvenile's
26 second or subsequent violation of this chapter or chapter 69.41,
27 69.50, or 69.52 RCW, the juvenile may not petition the court for
28 reinstatement of the juvenile's privilege to drive revoked pursuant
29 to RCW 46.20.265 until the later of the date the juvenile turns
30 seventeen or one year after the date judgment was entered.

31 **Sec. 10.** RCW 69.41.065 and 1989 c 271 s 119 are each amended to
32 read as follows:

33 (1) If a juvenile thirteen years of age or older and under the
34 age of twenty-one is found by a court to have committed any offense
35 that is a violation of this chapter, the court shall notify the
36 department of licensing within twenty-four hours after entry of the
37 judgment, unless the offense is the juvenile's first offense in
38 violation of this chapter and has not committed an offense while

1 armed with a firearm, an unlawful possession of a firearm offense, or
2 an offense in violation of chapter 66.44, 69.50, or 69.52 RCW.

3 (2) Except as otherwise provided in subsection (3) of this
4 section, upon petition of a juvenile whose privilege to drive has
5 been revoked pursuant to RCW 46.20.265, the court may notify the
6 department of licensing that the juvenile's privilege to drive should
7 be reinstated.

8 (3) If the conviction is for the juvenile's first violation of
9 this chapter or chapter 66.44, 69.50, or 69.52 RCW, the juvenile may
10 not petition the court for reinstatement of the juvenile's privilege
11 to drive revoked pursuant to RCW 46.20.265 until the later of ninety
12 days after the date the juvenile turns sixteen or ninety days after
13 the judgment was entered. If the conviction was for the juvenile's
14 second or subsequent violation of this chapter or chapter 66.44,
15 69.50, or 69.52 RCW, the juvenile may not petition the court for
16 reinstatement of the juvenile's privilege to drive revoked pursuant
17 to RCW 46.20.265 until the later of the date the juvenile turns
18 seventeen or one year after the date judgment was entered.

19 **Sec. 11.** RCW 69.50.420 and 1989 c 271 s 120 are each amended to
20 read as follows:

21 (1) If a juvenile thirteen years of age or older and under the
22 age of twenty-one is found by a court to have committed any offense
23 that is a violation of this chapter, the court shall notify the
24 department of licensing within twenty-four hours after entry of the
25 judgment, unless the offense is the juvenile's first offense in
26 violation of this chapter and has not committed an offense while
27 armed with a firearm, an unlawful possession of a firearm offense, or
28 an offense in violation of chapter 66.44, 69.41, or 69.52 RCW.

29 (2) Except as otherwise provided in subsection (3) of this
30 section, upon petition of a juvenile whose privilege to drive has
31 been revoked pursuant to RCW 46.20.265, the court may at any time the
32 court deems appropriate notify the department of licensing to
33 reinstate the juvenile's privilege to drive.

34 (3) If the conviction is for the juvenile's first violation of
35 this chapter or chapter 66.44, 69.41, or 69.52 RCW, the juvenile may
36 not petition the court for reinstatement of the juvenile's privilege
37 to drive revoked pursuant to RCW 46.20.265 until the later of ninety
38 days after the date the juvenile turns sixteen or ninety days after
39 the judgment was entered. If the conviction was for the juvenile's

1 second or subsequent violation of this chapter or chapter 66.44,
2 69.41, or 69.52 RCW, the juvenile may not petition the court for
3 reinstatement of the juvenile's privilege to drive revoked pursuant
4 to RCW 46.20.265 until the later of the date the juvenile turns
5 seventeen or one year after the date judgment was entered.

6 **Sec. 12.** RCW 69.52.070 and 1989 c 271 s 121 are each amended to
7 read as follows:

8 (1) If a juvenile thirteen years of age or older and under the
9 age of twenty-one is found by a court to have committed any offense
10 that is a violation of this chapter, the court shall notify the
11 department of licensing within twenty-four hours after entry of the
12 judgment, unless the offense is the juvenile's first offense in
13 violation of this chapter and has not committed an offense while
14 armed with a firearm, an unlawful possession of a firearm offense, or
15 an offense in violation of chapter 66.44, 69.41, or 69.50 RCW.

16 (2) Except as otherwise provided in subsection (3) of this
17 section, upon petition of a juvenile whose privilege to drive has
18 been revoked pursuant to RCW 46.20.265, the court may at any time the
19 court deems appropriate notify the department of licensing to
20 reinstate the juvenile's privilege to drive.

21 (3) If the conviction is for the juvenile's first violation of
22 this chapter or chapter 66.44, 69.41, or 69.50 RCW, the juvenile may
23 not petition the court for reinstatement of the juvenile's privilege
24 to drive revoked pursuant to RCW 46.20.265 until the later of ninety
25 days after the date the juvenile turns sixteen or ninety days after
26 the judgment was entered. If the conviction was for the juvenile's
27 second or subsequent violation of this chapter or chapter 66.44,
28 69.41, or 69.50 RCW, the juvenile may not petition the court for
29 reinstatement of the juvenile's privilege to drive revoked pursuant
30 to RCW 46.20.265 until the later of the date the juvenile turns
31 seventeen or one year after the date judgment was entered.

--- END ---